

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**FELIPE OTEZE FOWLKES,**

**Plaintiff,**

**-against-**

**9:02-CV-00468**

**JOHN ADAMEC, Counselor; and  
PAUL THOMAS, District Manager,**

**Defendants.**

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**THOMAS J. McAVOY,  
Senior United States District Judge**


**ORDER**

Based upon the Mandate and Opinion of the United States Court of Appeals for the Second Circuit in the above-captioned case dated December 6, 2005 and filed in this Court on May 8, 2006 [dkt. # 27], it is hereby

**ORDERED** that Plaintiff's Complaint [dkt. # 1] is treated as a petition for review of the Social Security Administration Commissioner's suspension of benefits, and the matter is **REMANDED** to the Commissioner for further proceedings in accordance with the opinion of the United States Court of Appeals for the Second Circuit in the above-captioned case dated December 6, 2005.

**IT IS SO ORDERED.**

DATED: May 18, 2006

  
Thomas J. McAvoy  
Senior, U.S. District Judge